

SENATE BILL No. 259

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2-184; IC 9-21-8; IC 9-24-6-6.

Synopsis: Driving in the left lane on interstate highways. Prohibits the operation of motor vehicles in the left lane of an interstate highway except under certain conditions. Repeals and relocates language requiring the operation of a truck, truck tractor, road tractor, trailer, semitrailer, or pole trailer in the far right lane of an interstate highway having at least three lanes in one direction.

Effective: July 1, 2007.

Lubbers

January 8, 2007, read first time and referred to Committee on Homeland Security, Transportation & Veterans Affairs.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

SENATE BILL No. 259

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-13-2-184 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 184. (a) "Trailer"
3 means, except as otherwise provided in this section, a vehicle:
4 (1) without motive power;
5 (2) designed for carrying persons or property;
6 (3) designed for being drawn by a motor vehicle; and
7 (4) so constructed that no part of the weight of the trailer rests
8 upon the towing vehicle.
9 The term includes pole trailers and two (2) wheeled homemade trailers.
10 (b) "Trailer", for purposes of IC 9-21, means a vehicle:
11 (1) with or without motive power;
12 (2) designed for carrying persons or property;
13 (3) designed for being drawn by a motor vehicle; and
14 (4) so constructed that no part of the weight of the trailer rests
15 upon the towing vehicle.
16 The term does not include pole trailers.
17 (c) "Trailer", for purposes of IC 9-21-8-12, ~~through IC 9-21-8-13,~~

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means the combination of any motor vehicle towing another vehicle or trailer.

SECTION 2. IC 9-21-8-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 12. **(a)** Except ~~when passing a slower vehicle, entering or leaving a highway, or where a special hazard exists that requires, for safety reasons, the use of an alternate lane;~~ **as provided in subsection (b),** a person may not operate a motor vehicle in the left lane of an interstate highway except when:

- (1) overtaking and passing a slower motor vehicle;**
- (2) entering or leaving a highway;**
- (3) a special hazard exists that for safety reasons requires the use of an alternate lane;**
- (4) no other motor vehicle is directly behind the motor vehicle in the left lane;**
- (5) traffic conditions and congestion make it impractical to drive in another lane;**
- (6) being operated:**
 - (A) through a toll collection facility to comply with IC 9-21-3.5-9; or**
 - (B) in compliance with IC 9-21-8-35; or**
- (7) the motor vehicle is an authorized emergency vehicle being operated in response to an emergency.**

(b) On an interstate highway consisting of at least three (3) lanes in any one (1) direction, a person may not operate a truck, truck tractor, road tractor, trailer, semitrailer, or pole trailer on an interstate highway in any lane except the far right lane, except when:

- (1) entering or leaving a highway; or**
- (2) a special hazard exists that for safety reasons requires the use of an alternate lane.**

SECTION 3. IC 9-24-6-6, AS AMENDED BY P.L.1-2005, SECTION 109, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6. (a) The following, if committed while driving a commercial motor vehicle, are serious traffic violations:

- (1) Operating a vehicle at least fifteen (15) miles per hour above the posted speed limit in violation of IC 9-21-5, IC 9-21-6, or IC 9-21-5-14.
- (2) Operating a vehicle recklessly as provided in IC 9-21-8-50 and IC 9-21-8-52.
- (3) Improper or erratic traffic lane changes in violation of IC 9-21-8-2 through ~~IC 9-21-8-13~~ **IC 9-21-8-12** and IC 9-21-8-17 through IC 9-21-8-18.

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(4) Following a vehicle too closely in violation of IC 9-21-8-14 through IC 9-21-8-16.

(5) In connection with a fatal accident, violating any statute, ordinance, or rule concerning motor vehicle traffic control other than parking statutes, ordinances, or rules.

(6) Operating a vehicle while disqualified under this chapter.

(7) For drivers who are not required to always stop at a railroad crossing, failing to do any of the following:

(A) Slow down and determine that the railroad tracks are clear of an approaching train, in violation of IC 9-21-5-4, IC 9-21-8-39, IC 35-42-2-4, or any similar statute.

(B) Stop before reaching the railroad crossing, if the railroad tracks are not clear of an approaching train, in violation of IC 9-21-4-16, IC 9-21-8-39, or any similar statute.

(8) For all drivers, whether or not they are required to always stop at a railroad crossing, to do any of the following:

(A) Stopping in a railroad crossing, in violation of IC 9-21-8-50 or any similar statute.

(B) Failing to obey a traffic control device or failing to obey the directions of a law enforcement officer at a railroad crossing, in violation of IC 9-21-8-1 or any similar statute.

(C) Stopping in a railroad crossing because of insufficient undercarriage clearance, in violation of IC 35-42-2-4, IC 9-21-8-50, or any similar statute.

(b) Subsection (a)(1) and (a)(8) is intended to comply with the provisions of 49 U.S.C. 31311(a)(10) and regulations adopted under that statute.

SECTION 4. IC 9-21-8-13 IS REPEALED [EFFECTIVE JULY 1, 2007].

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